

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

CHRISTOPHER GOODVINE,

Plaintiff,

Case No. 21-cv-987

v.

COMMANDER DUCKERT,
DEPUTY COMMANDER DOBSON,
CAPTAIN BRIGGS, OFFICER ANDERSON,
OFFICER PETERSON, OFFICER ELLISON,
JANE DOE, and JOHN DOES 1-3,

Defendants.

**ORDER DISMISSING CASE WITHOUT PREJUDICE FOR FAILURE TO PAY
INITIAL PARTIAL FILING FEE**

On August 23, 2021, the plaintiff filed this civil rights lawsuit, alleging that the defendants (employees of the Milwaukee County Jail) exposed him to a risk of assault and failed to protect him from assault by another person incarcerated at the jail, and were deliberately indifferent to the risks posed by that alleged assault. Dkt. No. 1. Three weeks later, the court received from the plaintiff a motion to proceed without prepaying the filing fee. Dkt. No. 4. At that point, the plaintiff had four cases pending in this district—Goodvine v. Severson, et al., Case No. 21-cv-45; Goodvine v. John Doe Jail Official 1, Case No. 21-cv-46; Goodvine v. Adams, et al., Case No. 21-cv-826; and the instant case. He had requested leave to proceed without prepaying the filing fee in each one.

On September 17, 2021—two days after the court received the plaintiff’s motion for leave to proceed without prepaying the filing fee and the day it received his trust account statement—the court issued an order requiring that on or before October 18, 2021, the plaintiff must pay an initial partial filing fee of \$1.77. Dkt. No. 6. October 18 came and went without the court receiving any money from the plaintiff. On November 10, 2021—over three weeks after the deadline by which the plaintiff was to pay the initial partial filing fee—the court issued an order extending the deadline for paying the initial partial filing fee to November 26, 2021 and advising the plaintiff that if the court did not receive either the initial partial filing fee or a written explanation for why he could not pay it by the end of the day on November 26, 2021, the court would dismiss the case without prejudice. Dkt. No. 8.

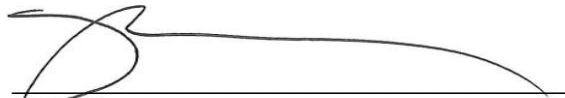
On November 12, 2021, the court received from the plaintiff a motion to extend the deadline for paying the initial partial filing fee by an additional thirty days. Dkt. No. 9. He indicated that he had not received “notice of the order”—he did not say which order—until the last week of October and asked for the additional time to “arrange payment” of the initial partial filing fee. Id. The plaintiff dated that motion November 10, 2021—the day the court issued its order extending the deadline for payment to November 26, 2021. Nonetheless, the court granted the plaintiff one further extension. Magistrate Judge Stephen C. Dries issued an order giving the plaintiff a deadline of December 27, 2021 by which to pay the \$1.77 initial partial filing fee. Text-only order dated November 15, 2021.

December 27, 2021 has passed without the court receiving the initial partial filing fee. It has been four months since the plaintiff filed the lawsuit and the court has given him two extensions of time to pay. The court will dismiss the case.

The court **ORDERS** that this case is **DISMISSED WITHOUT PREJUDICE** for failure to pay the initial partial filing fee by the deadline set by the court. The clerk will enter judgment accordingly.

Dated in Milwaukee, Wisconsin this 30th day of December, 2021.

BY THE COURT:

A handwritten signature in black ink, appearing to be 'P. Pepper', written over a horizontal line.

HON. PAMELA PEPPER
Chief United States District Judge